UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/041,881	10/24/2001	Gary Rasmussen	2050.117US1	4280

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EXAMINER
SALTARELLI, DOMINIC D

ART UNIT	PAPER NUMBER
2623	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/041,881	RASMUSSEN ET AL.
	Examiner	**Art Unit**	
	DOMINIC D. SALTARELLI	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 April 2008*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *8-26* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *8-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____ .

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments with respect to claims 8-26 have been considered but are

moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 8-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Wistendahl et al. (5,708,845, of record) [Wistendahl] in view of Lonnroth et al.

(6,826,597, of record) [Lonnroth], Bartok (5,737,553, of record), Ferrel et al. (5,860,073)

[Ferrel], and Baffes et al. (6,292,792) [Baffes].

Regarding claims 8, 13, and 19, Wistendahl discloses a method for

creating links to enhanced content on a video stream (col. 2 line 30 – col. 3 line

50) comprising:

defining at least one attribute for a hot spot (user defines an association

between an object and a hyperlink, col. 10, lines 5-15);

enabling a user to halt said video stream so as to provide a single video

frame for viewing (col. 6, lines 62-65);

providing a graphical user interface for receiving from the user a geometric

outline defining a hot spot on said single video frame (col. 9 line 66 – col. 10 line

5) and for receiving a link for said hot spot (the defined hyperlinks are to World

Wide Web pages, col. 5, lines 9-15);

assigning enhancement attributes to said hot spot (col. 10, lines 5-57);

storing said hot spot and said attributes in a generic format (col. 4 line 60

– col. 5 line 15);

embedding said hot spot and said attributes into a video stream (the hot

spots and IDM program are multiplexed together with video data sent over the

same data transmission link, col. 6 line 40 – col. 7 line 13); and

displaying said hot spot using a first set top box on a video screen and

allowing a viewer to access said hot spot whereby said viewer may access said

enhanced content (col. 4 line 60 – col. 5 line 15).

Wistendahl fails to disclose creating a template that defines an attribute

assigned to hot spots and translating said hot spot and said attributes from said

generic format into a first format prior to embedding using said template, wherein

the hot spot template is an externally referenced document, and said attribute

assignable to hot spots comprise a visual attribute defining how an associated

hot spot appears when displayed and a mouseOver attribute defining a hot spot

behavior when a cursor is positioned over said associated hot spot.

In an analogous art, Bartok discloses a method for enhancing content

wherein a template that defines an attribute assignable to hot spots is created

(fig. 4, map 104, col. 13, lines 46-51) and used to assign attribute information to a hot spot (user's assign an individual color or color code to a hot spot object, which then links the attribute to the hot spot according the map, col. 13, lines 21-45), providing the benefit of improved linking between screen objects and executable attributes that is more processor efficient (col. 9, lines 29-35 and col. 14, lines 26-35).

It would have been obvious at the time to a person of ordinary skill in the art to modify the method disclosed by Wistendahl to include creating a template that defines an attribute assignable to hot spots and using said created template to assign attribute information to a hot spot, as taught by Bartok, for the benefit of improved linking between screen objects and executable attributes that is more processor efficient.

Wistendahl and Bartok fail to disclose translating said hot spot and said attributes from said generic format into a first format prior to embedding, wherein the hot spot template is an externally referenced document, and said attribute assignable to hot spots comprises a mouseOver attribute defining a hot spot behavior when a cursor is positioned over said associated hot spot.

In an analogous art, Lonnroth teaches a method for translating data destined for a particular client into a format compatible with the client device (col. 3, lines 13-31) wherein content is converted into a format determined to be compatible with the client prior to delivering the content to the client (col. 7, lines 40-50 and col. 8, line 20 – col. 9 line 24), wherein all visual attributes of said data

are assigned solely based on a template (the XSL style sheet is a template used

to format the appearance of data being delivered to a client, col. 8, lines 20-38),

providing the benefit of allowing a single application to be compatible with many

different types of clients (col. 10, lines 25-60).

It would have been obvious at the time to a person of ordinary skill in the

art to modify the method disclosed by Wistendahl and Bartok to include

translating data from a generic format to a first format prior to embedding,

wherein all visual attributes of said hot spot, other than said geometric outline,

are assigned solely based on said template, as taught by Lonnroth, for the

benefit of allowing a single application to be compatible with many different types

of clients. Wistendahl teaches cross platform compatibility is accomplished by

loading the desired IDM program from a separate peripheral device (Wistendahl,

col. 7, lines 29-36), a limitation which is alleviated by the teachings found in

Lonnroth.

Wistendahl, Bartok, and Lonnroth fail to disclose the hot spot template is

in an externally referenced document, and said attribute assignable to hot spots

comprises a mouseOver attribute defining a hot spot behavior when a cursor is

positioned over said associated hot spot.

In an analogous art, Ferrel teaches the creation and use of templates in

an externally referenced document, which has the benefit of allowing a designer

to customize the layout of a presentation quickly by making changes to a single

document which would be reflected in the entire presentation at all those

locations which reference the document (style sheets are a well known means for allowing designers to quickly customize presentations, col. 7, lines 19-26).

It would have been obvious at the time to a person of ordinary skill in the art to modify the method of Wistendahl, Bartok, and Lonnroth to include the hot spot template is in an externally referenced document, as taught by Ferrel, for the benefit of allowing a designer to customize the layout of a presentation quickly by only being required making changes to a single document rather than every instance that otherwise simply references the document.

Wistendahl, Bartok, Lonnroth, and Ferrel fail to disclose said attribute assignable to hot spots comprises a mouseOver attribute defining a hot spot behavior when a cursor is positioned over said associated hot spot.

However, when using style sheets to control the manner in which content is presented to users, mouseOver events are a common type of attribute which is included in the style sheet. Evidence of this fact is found in Baffes (see col. 30, lines 40-65).

Thus, it would have been obvious at the time to a person of ordinary skill in the art to modify the method disclosed by Wistendahl, Bartok, Lonnroth, and Ferrel to include said attribute assignable to hot spots comprises a mouseOver attribute defining a hot spot behavior when a cursor is positioned over said associated hot spot, as taught by Baffes, as such attributes are a common feature which is modified using style sheets.

Regarding claim 9, Wistendahl, Bartok, Lonnroth, Ferrel, and Baffes disclose the method of claim 8, but fail to disclose the mouseOver attribute specifies an icon to be displayed when a cursor is positioned over said associated hot spot.

The examiner takes official notice that the display of icons in response to a mouseOver action is a well known option available to designers when modifying a mouseOver attribute in a style sheet.

It would have been obvious at the time to a person of ordinary skill in the art to modify the method of Wistendahl, Bartok, Lonnroth, Ferrel, and Baffes to include disclose the mouseOver attribute specifies an icon to be displayed when a cursor is positioned over said associated hot spot.

Regarding claims 14 and 20, Wistendahl, Bartok, Lonnroth, Ferrel, and Baffes disclose the method of claims 13 and 19, further comprising translating said hot spot and said attributes from said generic format into a second format and embedding said hot spot and said attributes in said second format into a video stream (Lonnroth teaches the format is dependent upon the requesting client, col. 10, lines 35-40, and thus two different clients would receive two different formats, which requires a change according to the respective template [the IDM taught by Wistendahl]).

Regarding claims 15 and 21, Wistendahl, Bartok, Lonnroth, Ferrel, and Baffes disclose the method of claims 14 and 19, wherein said translating is accomplished by an XSL translator (Lonnroth, col. 9, lines 1-24).

Regarding claims 12, 16, and 22, Wistendahl, Bartok, Lonnroth, Ferrel, and Baffes disclose the method of claims 8, 14, and 21, wherein said first format is adapted to be displayed on a first set top box and said second format is adapted to be displayed on a second set top box (the first and second clients are requesting set top boxes, as taught by both Wistendahl, fig. 3, set top box 32, and Lonnroth, col. 10, lines 53-60, and thus the template information used in filtering would include the types of set top boxes which can display the hot spots, Lonnroth, col. 9, lines 25-38).

Regarding claims 17 and 23, Wistendahl, Bartok, Lonnroth, Ferrel, and Baffes disclose the method of claims 14 and 21, wherein said first format comprises a first set of visual attributes and said second format comprises a second set of visual attributes, said first set of visual attributes and said second set of visual attributes having at least one dissimilar attribute (Lonnroth, col. 8, lines 20-53).

Regarding claims 10, 25, and 26, Wistendahl, Bartok, Lonnroth, Ferrel, and Baffes disclose the method of claims 8, 14, and 21, but fail to disclose said

first format is adapted to a first language and said second format is adapted to a

second language.

It is notoriously well known in the art to customize applications by

translating the application into different languages, allowing people who speak

different languages to understand the same display of textual or spoken

information.

It would have been obvious at the time to a person of ordinary skill in the

art to modify the method disclosed by Wistendahl, Bartok, Lonnroth, Ferrel, and

Baffes to include said first format is adapted to a first language and said second

format is adapted to a second language, for the benefit of allowing people who

speak different languages to understand the same display of textual or spoken

information.

Regarding claims 11, 18, and 24, Wistendahl, Bartok, Lonnroth, Ferrel,

and Baffes disclose the method of claims 8, 14, and 21, wherein said first format

comprises a first set of URL links and said second format comprises a second

set of URL links, said first set of URL links and said second set of URL links

having at least one dissimilar URL link (the IDMs being customized for each

client comprise hyperlinks to World Wide Web pages or other services on the

Internet, Wistendahl, col. 4 line 60 – col. 5 line 15, and Lonnroth teaches different

clients will receive different links according to the configuration database which

defines services for each user, col. 4 line 57 – col. 5 line 3).

Conclusion

4.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to DOMINIC D. SALTARELLI whose telephone number is

(571)272-7302. The examiner can normally be reached on Monday - Friday 9:00am -

6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Miller can be reached on (571) 272-7353. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dominic D Saltarelli/
Examiner, Art Unit 2623

/John W. Miller/
Supervisory Patent Examiner, Art Unit 2623